

Tidelines

New Hampshire Coastal Program

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Legacy of Land

Hats off to all of those hard working folks who have contributed to protected land, leaving behind a legacy of clean water, places to go for exercise and relaxation, and working landscapes that give us locally grown food and sustainable forestry. We hope that the photos and stories in this issue inspire and motivate continuing land protection in our coastal watershed.



Manager's Musings

By Ted Diers, Coastal Program Manager



Truth be told – I'm from away. Yup, conceived, birthed and raised west of the Missis-

sippi. Colorado is a beautiful place, though more often than not, it's dry and brown. New Hampshire is a gorgeous place. It is so green here. What could feel more alive than a salt marsh in summer, the Moose Mountains in fall, the Exeter River in spring, or the Hampton clam flats in winter? I truly love my adopted state. I am particular to the large patches of unbroken forests in this watershed. Unfortunately, those forests, as well as riverine buffers and shorelands, are becoming more "broken."

Growth may indeed be inevitable and even desirable, however, the growth in our watershed is not proportional to our increasing population. We are, by numerous measures, sprawling. I should mention that the sprawl along the foothills of the Rockies is one of the things that keeps me from returning. So how do we have our watershed and afford it too? One piece of that puzzle has been and continues to be land conservation. How much more do we need?

One way to answer that is with our new Land Conservation Plan, which was developed with significant public input through a partnership of the Coastal Program, N.H. Estuaries Project, The Nature Conservancy, Society

for the Protection of New Hampshire Forests, Rockingham Planning Commission, and Strafford Regional Planning Commission. This plan is a "greenprint" for protecting the ecological services of the watershed. You can read more about the plan in this edition. You will also read about the amazing efforts of the land conservation professionals who get the deals done.

Over 50,000 acres, or 12 percent of the land, have been permanently protected in our watershed. That is a great start. But, there isn't enough money in the world to buy all these acres nor do we have to. Land conservation is just one tool to ensure the long-term viability of our watershed. You can read about the efforts in New Durham to use innovative planning techniques to protect important areas later in this issue. Fundamentally, the kinds of laws we pass, the housing we demand and the products we buy will determine if this place will continue to be a desirable place to live out a lifetime.

Our coastal watershed retains irreplaceable natural resources that occur nowhere else in the state. But let's keep it a secret from those sprawling folks from away.



Blanding's turtle, an endangered species in New Hampshire, uses wetland habitats found in our coastal watershed. PHOTO: MIKE MARCHAND

New Hampshire Coastal Program

NHCP is a federally approved coastal program authorized under the Coastal Zone Management Act and is administered by the New Hampshire Department of Environmental Services. NHCP strives to maintain a balance between the use and preservation of coastal resources. Through partnerships, funding and science, NHCP works to improve water quality and decision making in 42 coastal watershed communities; supports maritime uses; and restores coastal rivers and wetlands.

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Tidelines is published annually by NHCP to highlight coastal issues.

Catherine Coletti, editor

Cover Photo: Isinglass River corridor, Strafford, N.H. Read more about the extraordinary partnership that made this conservation initiative possible on page 9.

PHOTO: DAN KERN

December 2008



Land Conservation Success Stories



Minton Project

Location: Sandown

Acres Protected: 138

Project Completed: August 2008

Cost: \$1.6 million

Funding sources: \$600,000 from the town's conservation fund, generated from the land use change tax,

and a \$1 million 20-year bond. (Note: The price was 20 percent less than the appraised value of \$2 million in December 2007).

Project Partners: The landowner is the town of Sandown with the Southeast Land Trust holding the easement. Other partners include: volunteers from Sandown, University of New Hampshire Cooperative Extension, New Hampshire Estuaries Project, Rockingham Planning Commission, and the Exeter River Local Advisory Committee

Standouts: The land expands the existing Fremont Road Town Forest and surrounds an existing conserved parcel, creating 260 contiguous acres of open space. It also adds about half of a mile of protection

to the Exeter River. Preservation of this land protects water quality and wildlife habitats.

Keys to Making this Project a Success Story: "The key to our success was the great support we got from volunteers in the town of Sandown and outside agencies like the New Hampshire Estuaries Project, University of New Hampshire Cooperative Extension, and the Southeast Land Trust. At the end of the day, if we didn't have Sandownians talking to other Sandownians about the value the land purchase would bring to the town, the bond would not have passed," said Mark Traeger, Sandown conservation commission member.



Marsh Lane Conservation Preserve Extension

Location: Hampton Falls

Acres Protected: 14

Project Completed: October 2007

Cost: \$225,000

Funding Sources: \$175,000 coming from the town of Hampton Falls conservation fund, generated from land use change tax penalty; \$50,000 from Coastal Program competitive grant.

Project Partners: The landowner is the town of Hampton Falls with the Southeast Land Trust holding the easement. Other partners: New Hampshire Coastal Program

Standouts: Includes 320 feet along the banks of the Taylor River. The property is located next to the existing 21-acre Marsh Lane preserve, enlarging this natural area to 35

acres. Trails and a three-car gravel parking area were created this fall. Interpretive signage and a trail map are planned. This portion of the Taylor River falls within a conservation focus area of *The Land Conservation Plan for New Hampshire's Coastal Watersheds*.

Why It Matters: "There are very few public access points along the Hampton Falls side of the Taylor River. The purchase of this property allows us to both protect a critical wildlife habitat and provide an opportunity for the public to enjoy the natural resources along the New Hampshire coast," said Karen Ayers, Hampton Falls conservation commission chair.

Beyond Boundaries: The Greenprint

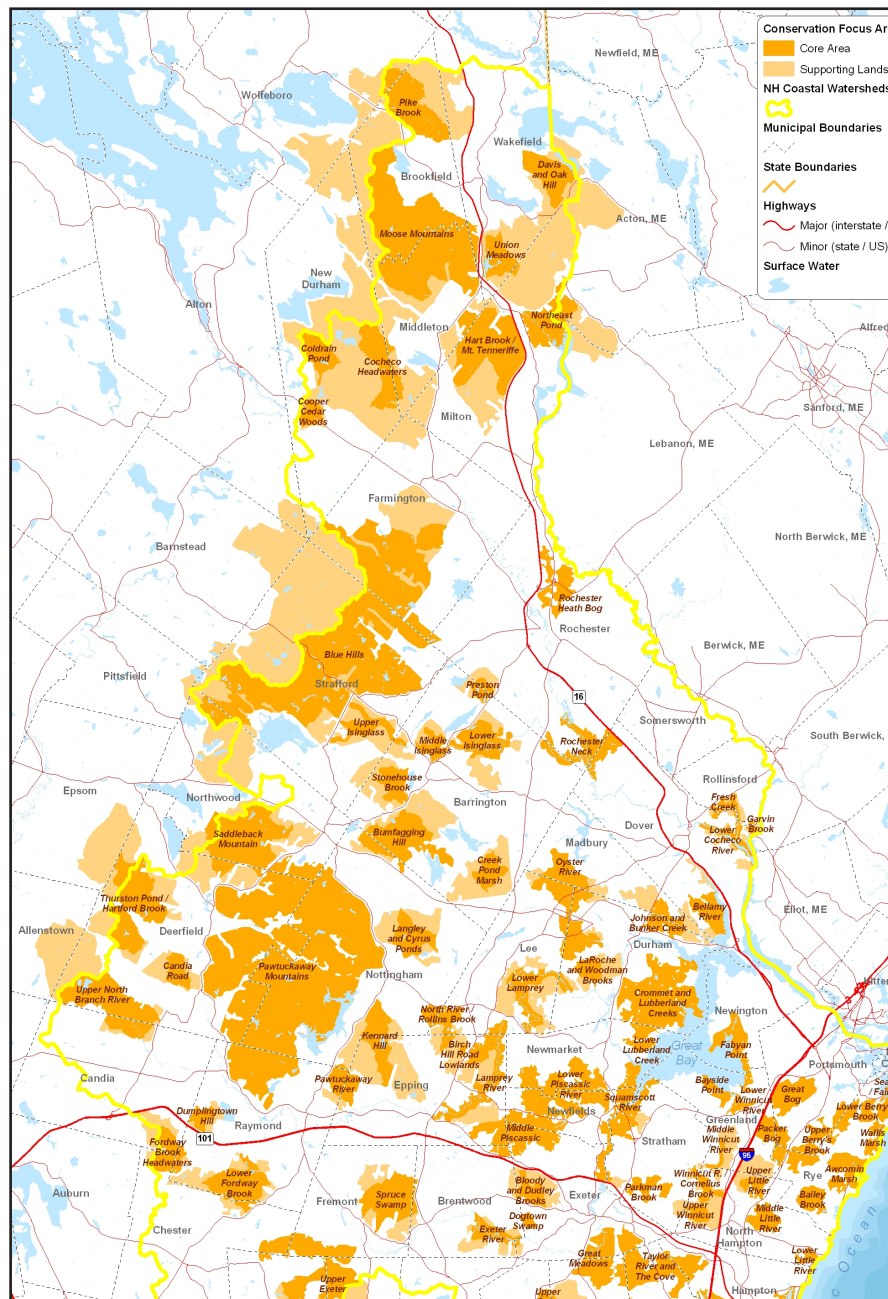
The *Land Conservation Plan for New Hampshire's Coastal Watersheds* identifies the best remaining opportunities for land protection on a watershed scale. A total of 75 areas that total 190,300 acres have been pinpointed as conservation focus areas, or places that are standouts for the protection of living resources and water quality. The goal of the plan is to serve as a “greenprint” for land protection efforts.

The plan considers the interconnectedness of the entire coastal watershed and identifies the parts that, if collectively conserved, are our best chance to retain the region's natural resources and ecological services. It looks beyond the boundaries of the town line.

Released in 2006, the plan was developed through a partnership, including the New Hampshire Coastal Program, New Hampshire Estuaries Project, The Nature Conservancy, Society for the Protection of New Hampshire Forests, Rockingham Planning Commission, and Strafford Regional Planning Commission.

In general, conservation focus areas occur in places where multiple important natural resource features co-occur to an extent that is significant from a watershed perspective. Occasionally, focus areas emerged that contained only one or two important features, because the features were considered irreplaceable.

The conservation focus areas were developed using a collection of analyses and maps containing a wealth of natural resources data by regional experts using an unparalleled level of detail. Project partners identified six categories of key natural resource



Conservation Focus Area Map

A total of 75 areas that total 190,300 acres in our coastal watershed have been pinpointed as conservation focus areas, or places that are standouts for the protection of living resources and water quality. About 40,000 acres are protected so far, leaving approximately 150,000 acres of the most critical land in the coastal watershed unprotected.



features that best addressed living resources and water quality, which were collapsed into four map layers that make up the background data for the focus areas: forest ecosystems, freshwater systems, irreplaceable coastal and estuarine resources, and critical plant and wildlife habitat.

According to the plan, our region can expect approximately 2,000 acres per year of undeveloped land to be converted to a developed condition between 2006 and 2025. Our key natural resources remain vulnerable to development unless conservation strategies come into play. Both land acquisition and the regulation of the density, size and location of development can be used to protect our resources.

How to Use It

Planners, municipal staff, volunteer board members, land trusts, agency staff, and others can use the plan as a framework to prioritize land protection. It's not intended to supplant other plans that address conservation

and natural resource issues in the region or towns, but rather augment and complement them.

The plan can be used to guide decisions on where to target land acquisition efforts. For instance, the Coastal Program is using the plan to rank land conservation proposals for funding consideration through the Coastal Estuarine Land Conservation Program.

Communities can also use the plan to support zoning and site plan review changes

that guide development away from the critical natural resources identified as conservation focus areas. It even includes a model conservation overlay district that can be adopted into a community's zoning ordinance.

Find the conservation focus area maps and corresponding tables with specific acreage and other information, the model conservation overlay district language, links to land protection resources, and more in the plan at www.nature.org/wherewework/northamerica/states/newhampshire/projects/art19061.html.

"The plan enables communities, land trusts, and agencies to better understand how local and regional conservation activities can add up to a functional network of conservation land and waters – a whole that really is greater than the sum of the parts." (Land Conservation Plan for New Hampshire's Coastal Watersheds).



Why It Matters

Land matters because it supports ecological services, such as keeping water clean by filtering it before it gets to water supplies. Land helps prevent flooding. It gives people locally grown food and places to fish, boat and hike. Land provides habitat for plants and animals unique to our area. It helps instill a sense of pride in the individuality of a place.

From top to bottom and left to right: learning to fish at Swains Lake in Barrington; Cochecho River, New Durham; kayaking and wildlife viewing on the Blackwater River in Seabrook; teaching salt marsh ecology at Awcomin Marsh, Rye; farm selling produce in Derry.

On the making of a conservation overlay district

Question and Answer with New Durham Planning Board Chair Bob Craycraft

Town of New Durham Planning Board Chair Bob Craycraft was instrumental in developing the new conservation overlay district that was incorporated into the town's zoning ordinance last spring. The goal is to guide development away from the highest-quality wildlife habitat, streams, wetlands, and forests. While conceptualizing the conservation overlay district, planning board members hesitated to single out any one resource as being a priority. The answer: the holistic approach for conserving



New Durham Planning Board
Chair Bob Craycraft

exceptional resources recommended by the *The Land Conservation Plan for New Hampshire's Coastal Watersheds*.

Before the conservation overlay district was incorporated into the ordinance, the town had one general zoning district that permitted a minimum lot size of 60,000 square feet (1.4 acres) or greater as required by the soil based lot sizing standards. The new conservation overlay district permits development at a density of one dwelling unit per five acres (with lot sizing as required in the underlying district) and mandatory clustering of development away from the most valuable resources to avoid fragmentation of the conservation focus areas.

New Durham is the first town to use the land conservation plan to inform an ordinance. Craycraft spoke about the experience.

Q: Why should towns consider working on developing a conservation overlay district?

A: Rapid growth in the coastal region, and for that matter New Hampshire in general, poses a long term threat to natural resources. A conservation overlay district approach can provide a community with a mechanism to manage growth and direct development away from areas characterized by critical natural resources to areas more suitable for development. In New Durham, the planning board decided to develop a conservation overlay district that was based on *The Land Conservation Plan for New Hampshire's Coastal Watersheds* to help protect critical wildlife habitat, water quality and areas that promoted sustainable forestry into the future.

In 2004 and 2005, a majority of voting New Durham planning board members, including a land surveyor on the board, argued that most of New Durham was undevelopable and that regulations were not needed to protect critical natural resource areas. Unfortunately, the reality was soon realized that most of New Durham was developable when large subdivisions were being proposed in some of the so-called undevelopable areas of town. The rapid growth in marginally developable areas of town were an eye opener for many New Durham residents.

On a positive note, the New Durham



New Durham Town Hall

master plan, revised in 2004 and 2005, was more forward thinking and provided a firm basis for natural resource protection when forward thinking members of the public had identified critical natural resource attributes that warranted protection.

Q: What advice can you offer to other towns seeking to incorporate a conservation overlay district?

A: First and foremost, a proactive approach to long-term planning is much more rewarding and constructive than reacting to the impacts of growth that can result in irreversible damage to natural resources. Begin to plan now.

Many, if not most coastal New Hampshire communities have natural resource inventories that can serve as a basis for a conservation overlay district while *The Land Conservation Plan for New Hampshire's Coastal Watersheds* provides scientifically based natural re-



source priorities on a regional basis. In New Durham, The Land Conservation Plan often times, but not always, overlapped with critical natural resource areas identified locally in town.

New Durham was fortunate to have had the assistance of third party professional planners and natural resource professionals when developing the fundamental components of the conservation overlay. This third party assistance was critical in helping provide sound advice and helping draft a conservation overlay district.

New Durham, a town [with a population] of approximately 2,600, does not have a professional planner on staff. New Durham instead took advantage of some of the grant opportunities offered to communities to assist with natural resource planning efforts.

New Durham also benefited from a series of workshops in the three years prior to the development and adoption of the conservation overlay district ordinance that included: Carolyn Russel, NHDES - smart growth presentation, The Natural Resources Outreach Coalition dealing with growth presentations, Sandy Crystal, NHDES - wetlands presentation, and Andrew Smith, University of New Hampshire Survey Center who conducted a professional survey to gauge natural resource attitudes of the public. Such workshops provided an opportunity for residents to ask questions and to obtain answers from the professionals in various disciplines. The workshops also served to slowly educate the municipal officials including members of the planning board.

Federal Tax Incentive for Local Land Conservation Renewed

Private landowners—especially family farmers—will benefit from a federal land conservation tax incentive that passed in the summer of 2008. The incentive, which had expired at the end of 2007, helped willing landowners in New Hampshire and across America to conserve record numbers of acres of agricultural and natural land in 2006 and 2007. The incentive now extends through the end of 2009.

The incentive makes it more economically feasible for thousands of farmers and other landowners of modest means to conserve their land and keep it in agricultural production. Voluntary conservation easements help preserve working farms and ranches and make it easier for families to pass the land to the next generation. The incentive, which applies to a landowner's federal income tax, will:

- Raise the deduction a donor can take for donating a voluntary conservation agreement from 30 percent of their income in any year to 50 percent;
- Allow farmers and ranchers to deduct up to 100 percent of their income; and
- Increase the number of years over which a donor can take deductions from six to 16.

Q: What did you learn from the experience?

A: As indicated above, bringing in third party professionals, including natural resource and planning professionals, was instrumental in moving the process forward. The professional planning assistance was critical to help educate the members of the planning board, surveyor, contractor and highway department who had little, if any professional knowledge of natural resource impacts. The third party consultants helped educate the planning board membership and helped dispel misinformation, such as natural resource protection is too costly to the

applicant, that seems to be promulgated in many communities and that can undermine the planning process.

Building public support for the ordinance was also critical and this initiative followed the adoption of an amended master plan as well as a conservation subdivision ordinance and a water quality protection ordinance (also known as riparian buffer ordinance). Public engagement in the process was a critical element of the conservation overlay district's adoption.

What is the most compelling reason to conserve land?



“The most compelling reasons to preserve land are the stories behind each land protection

project. Land protection is locally and personally driven. Land protection is compelling because of the landowners’ heritage, sense of space, and ongoing relationship with history and the natural world.”

Theresa Walker, Rockingham Planning Commission



“For each landowner and each community, there are different and important reasons to conserve land. And each property has different natural resources that may individually or

collectively warrant protection. But the most important reason to conserve land is to ensure that our communities enjoy the benefits of open space far into the future. Zoning and regulations can only do so much – they minimize the impacts of development and land use. If we truly want to protect the special places that define our communities, and in turn, define us, we need to permanently conserve those places through ownership or conservation easements.”

Brian Hart, Southeast Land Trust



“The preservation of land achieves nothing less than the assurance of human survival. Physical survival is ensured through maintaining

a balance of ecological systems and protecting the diversity of natural

resources essential to the existence of all species. Spiritual survival is offered through the sustenance of a shared, inexplicable connection with the earth. It is imperative that each generation accept and carry on this stewardship responsibility.”

Dea Brickner-Wood, Great Bay Resource Protection Partnership



“The most compelling reason to preserve land is that it simultaneously addresses so many issues of fundamental importance to our lives

– our sense of place, our quality of life, the purity of our water, our resilience to natural disasters, the abundance and diversity of our wildlife, and the economic prosperity of our communities. It’s important to realize that the integrity of the ecosystems upon which we depend for all these things is under severe threat from overdevelopment, and land preservation is the single most effective tool we have to address this challenge.”

Derek Sowers, New Hampshire Estuaries Project



“I don’t think that there is any good alternative. Undeveloped land provides critical services to our region’s residents – clean

water, food, recreation, and respite – as well as important habitat for animals and plants. What choice do we have – a Pawtuckaway reservoir with a metro-Portsmouth area that looks like Boston?”

Daniel E. Kern, Bear-Paw Regional Greenways



“There is no one compelling reason to preserve land; instead the reason varies from landowner to landowner and the reason

may range from the deeply personal to the pragmatic. A landowner may have strong desires to ensure that the family’s tradition of a strong land ethic will continue into perpetuity. Another landowner may face fiscal realities of owning and managing land and see conservation as an option that’s financially beneficial, while also personally rewarding. No matter what the reason, in almost all cases for a project to be truly successful, a landowner has to want to preserve their land and find an organization that matches their conservation goals.”

Duane Hyde, New Hampshire Chapter of The Nature Conservancy



“The quality of our lives depends on protecting land. Clean water, clean air, food, fiber and our mental health all depend on keeping much of the land-

scape functioning as nature designed it. It’s safe to say that we now have the science to help us decide which lands are most important to protect if we want to keep our ecosystems functioning, and providing us with the essential resources we depend on.”

Paul Doscher, Society for the Protection of New Hampshire Forests



Partnerships Make Isinglass Conservation

Initiative a Home Run

“We couldn’t do this without you. It was an incredible effort to pull all of this together,” said Rodger Krussman, Trust for the Public Land director, addressing a crowd of Strafford community residents and local, state and federal officials at the Isinglass River Conservation Project celebration in August 2008.

A partnership of organizations, including the Trust for Public Land, Bear-Paw Regional Greenways, and the town of Strafford worked together for more than two years to conserve five properties totaling 868 acres in Strafford. The land is located in the Upper Isinglass River and Blue Hills Conservation Focus Areas as identified in *The Land Conservation Plan for New Hampshire’s Coastal Watersheds*. The focal point of the initiative, a 287-acre parcel containing approximately 1.5 miles of frontage on the Isinglass River, was purchased with the help of a \$1.3 million grant from the Coastal and Estuarine Land Conservation Program. Three local landowners and the Strafford School Board generously donated property in fee or easement to increase the total conserved area threefold.

CELCP is a tremendously competitive grant program where states vie for ranking on a national priority list. Projects are funded in order of rank;



Isinglass River, Strafford, New Hampshire PHOTO: DAN KERN

the number of projects completed depends on the funding availability in any given year. The Coastal Program is the lead state agency for the CELCP program and coordinates the selection of projects to send to the National Oceanic Atmospheric Administration to compete in the national competition. The Isinglass project ranked Number 1 in the country.

Conservation of these parcels will help protect an important recreational fishery and

travel corridor for wildlife, maintain water quality, and enhance opportunities for public access to the river.

“It’s exciting to celebrate the success of this ambitious effort to protect the Isinglass River. It’s good for the environment, for wildlife, and for the people who want to hike, fish, and otherwise enjoy the natural beauty of this river. The Trust for the Public Land wishes to thank the town (of Strafford), the New Hampshire Congressional delegation, the National Oceanic and Atmospheric Administration, all of our project partners, and the many donors who made this possible,” said Gregg Caprossi, Trust for the Public Land project manager.

Conservation of these parcels will help protect an important recreational fishery and travel corridor for wildlife, maintain water quality, and enhance opportunities for public access to the river.

Coast by the Numbers

What's in a Watershed

New Hampshire's coastal watershed is approximately **525,000** acres and drains **1,085** square miles (Hydrologic Parameters for New Hampshire's Estuaries, N.H. Estuaries Project 2007).

Two highly productive and important estuaries, Great Bay and Hampton-Seabrook, and several sizeable salt marsh complexes.

More than **1,800 miles** of rivers and streams.

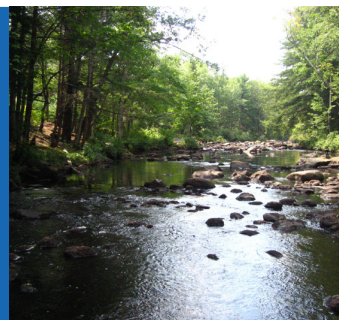
Working farms that provide locally grown food to our tables. As of the most recently compiled farm census data, there were **65,253 acres of farms** in Rockingham and Strafford Counties (2002 Census of Agriculture County Profiles).

Essential habitat for more than **130** rare species.

Changing Times

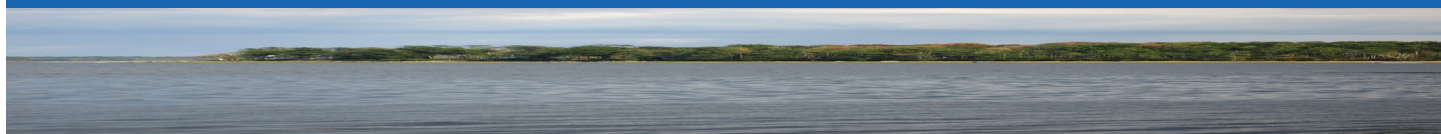
Over the past 36 years in Rockingham and Strafford counties, an average of **2,230** acres of land per year has been converted to a developed condition. The region can expect nearly **2,000 acres per year of land conversion** between 2006 and 2025.

There were **3,177** farms in Rockingham and Strafford counties in 1950; by 2002 the number had shrunk to **726**.



Clockwise from the top: Rivers and streams are abundant throughout the coastal watershed; a baby explores Wallis Sands Beach in Rye; oyster about to be transplanted into the Oyster River in Durham as part of an effort to restore this amazing species, which reduces pollutant loads by filtering water; a sign points folks to fresh and locally grown food at the Portsmouth Farmer's Market.

Below: Great Bay as viewed from the Great Bay Discovery Center, Greenland. Great Bay's wetland ecosystems and habitats support a plethora of wildlife, including migratory birds, as well as provide unique recreational and education opportunities for humans. Area scientists agree that Great Bay's estuarine system is at risk.





Coffee Break

The buzz around our office coffee pot is the new film and book *Communities and Consequences*.



Communities and Consequences, released last spring, is a documentary film by Jay Childs with a companion book by Peter Francese, demographics expert, and Lorraine Stuart Merrill, who is now state department of agriculture commissioner. Since the release last spring, the book and film have sparked conversations on the complicated interplay of demographic trends and local decision making. At least five film showings and panel discussions have been held across the state, as well as several airings on New Hampshire TV. In addition, the film was named “Best New Hampshire Documentary” by the 2008 New Hampshire Film Festival.

The authors’ premise is that decisions being made at the local level, such as voting down new schools and discouraging moderate income level housing developments, are resulting in an accelerated “graying” of New Hampshire. According to the book and film, these decisions are made upon fear and assumptions that are in the long run causing communities to lose people in the 25 - 44 year old demographic and their children, two demographics that are necessary to a community.

According to the Census Bureau, the human landscape is shifting to include more people aged 55 and over in New England, particularly in New Hampshire. Though some say that the aging could be a natural result of baby boomers getting older, Francese offers the statistic that New Hampshire is the sixth oldest state in the nation, tied with Florida.

The relationship to land conservation is a complicated one. The authors agree that undeveloped land is key to a vibrant community, but raise concern over preserving land specifically to prevent school children from coming into town.

“Squirrels and deer don’t need schools,” points out one voter at a town meeting in the film.

Because families with children are often perceived as a tax burden by voters, age restricted housing is becoming the most accepted and encouraged type of development in many communities. In turn, age restricted housing brings in more older voters. In much of the state, age restricted housing is the only kind of affordable housing being built.

The authors do not seek to pit the old against the young, or land conservation against affordable housing, but to shine a light on the changing demographics and why it’s hurting communities.

“The book and film have been somewhat controversial within the conser-



vation community—many have been very enthusiastic and supportive, and understand well the point we are trying to make. We have heard from a couple of individuals who have expressed displeasure, or argued that we did not tell the ‘whole story’ about one or another of the examples highlighted in the film and book—that is to say, they wanted to argue the specifics of a specific proposed development, etc. But that was not our point—we want to encourage discussion and reevaluation of the attitudes that have become so prevalent in our communities,” said Lorraine Stuart Merrill, coauthor. Merrill’s life-long commitment to land conservation began growing up on her family’s farm in Massachusetts.

“Squirrels and deer don’t need schools,” points out one voter at a town meeting in the film.

The authors believe that land conservation and affordable housing can coexist happily. For instance, conservation subdivisions, where development is

clustered on areas of land that are the least sensitive while leaving open space for public access, water filtration, wildlife habitat, and the ecological services that open space provides, is a happy marriage of the two.



Great Bay in winter. This spring, increasing light and warmth will tell the marsh to wake up, melting the snow and splattering green across it like a painter. The melting away may reveal a weathered face, as ice, tides and waves have chipped away at its fragile outer edges.

More Information Available On Our Web site

Visit our Web site at www.des.nh.gov for information on land protection resources, including ideas for funding sources, links to publications, and contact info for land trusts operating in the coastal watershed. Once on the DES homepage, search for "CELCP" using the search function at the upper right hand side of the page. Once on the CELCP page, click on the link "Land Conservation Resources."



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